

REMARKS

Favorable consideration and allowance are requested for claims 1-18 in view of the following remarks.

Statement of Interview

As an initial matter, Applicants wish to thank the Examiner for the courtesies extended to Applicants' counsel during the telephone interview of September 16, 2010. The comments presented herein reflect the substance of the issues discussed during the interview.

Status of the Application

Claims 1-18 are pending in this application. Claims 1-18 were rejected under 35 U.S.C. § 103(a) as being anticipated over U.S. Patent No. 6,222,463 to Rai (the "Rai patent") in view of U.S. Patent No. 6,763,299 to Jones (the "Jones patent").

Rejections under 35 U.S.C. § 103(a)

According to the outstanding Office Action, the combination of the Rai and Jones patents renders the pending claims obvious. In response, Applicants respectfully submit that present invention is directed to keeping vehicle-mounted control units in their optimum state by updating information for the vehicle-mounted devices automatically, and without regard to the user's awareness. *See, e.g.*, specification at 2-3.

According to the present invention, the information management base station unit transmits an update request followed by the update information,

and a vehicle-mounted control unit receives the update request to first wake up and then to receive the update information. The vehicle-mounted control unit then determines whether or not the update information is necessary for the vehicle and transmits the determination result to the information management base station unit. The information management base station unit confirms whether or not the vehicle is in an updatable state, and it transmits wirelessly the update information to the vehicle in case that the update information is necessary for the vehicle and that the vehicle is in an updateable state, so that data in the vehicle-mounted control unit are updated, regardless of the user's awareness.

In contrast to the present invention, the Rai patent discloses an authorized person using a portable interrogator to read an electronic tag containing records mounted on vehicles, as well as to communicate with vehicle base stations for the purpose of the registration, inspection, insurance, and maintenance of the vehicle. Thus, it is the authorized person who controls the communication and update of the records: "Vehicles equipped with electronic tags respond to radio frequency signals sent out by the portable interrogator when activated by an authorized person." U.S. Patent No. 6,222,463, col., 1, lines 55-58; *see also id.* at col. 2, lines 21-33.

In addition, with respect to the independent claims, the Office Action cites column 4, lines 1-45 of the Rai patent as disclosing "when an updating event occurs an information base station transmitting a query to all the vehicles under

its management regarding whether or not a vehicle-mounted control unit that needs to be updated by the information management base station unit is present thereon.” Office Action at 2. In particular, lines 31-45 are cited as disclosing that the query is transmitted to the vehicles. However, as seen in Figs. 1 and 2 of the Rai patent, the vehicle base stations 155 that communicate with portable interrogators 150 are not located on vehicles 110 and do not even communicate with the vehicles. Instead, electronic tags 115 located on the vehicles communicate with portable interrogators 150. For at least these reasons, the Rai patent does not disclose or suggest transmitting a query to vehicles by an information management base station.

The Jones patent discloses an advance notification system, where a vehicle control unit is in communication with a base station control unit, which is in turn in communication with a customer computer. This invention is directed to providing an advance notice, so it also does not disclose or suggest any aspect of the present invention.

As the Rai and Jones patents, either alone or in combination, fail to disclose or suggest the subject matter of the present invention, Applicants respectfully submit that the claims are patentable.

* * * * *

If there are any questions regarding this response or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323, Docket No. 011050.57881US.

Respectfully submitted,

Date: October 8, 2010

/Michael H. Jacobs/
Michael H. Jacobs
Registration No. 41,870

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
MHJ:msy